

Application Serial No.: 10/783,564

Remarks Regarding Sequence Listing Requirement

The Notice to File Missing Parts asserted that there were nucleotide sequences presented in the instant application, but that a Sequence Listing was not provided. Applicants respectfully submit that the instant application does not contain any sequences for which a Sequence Listing is required. Careful review of the application as filed reveals that the instant application discloses no sequences of greater than ten (10) contiguous nucleotides or four (4) contiguous amino acids.

Indeed, it appears that the Patent Office might be interpreting the Amino Acid Abbreviations, Codes, and Functionally Equivalent Codons section of pages 2-3 of the instant specification as disclosing sequences of greater than 10 contiguous nucleotides. On the contrary, however, applicants respectfully submit that one of ordinary skill in the art would understand line 4 of this Table, for example, which recites "Arginine Arg R AGA AGG CGA CGC CGG CGU" as reciting the six (6) triplet codons that encode an arginine residue in mammalian cells. As such, the "AGA AGG CGA CGC CGG CGU" does not represent an eighteen (18) nucleotide sequence, but rather disclose six (6) individual three (3) nucleotide codons.

Accordingly, applicants respectfully submit that the sequences disclosed on pages 2-3 of the instant specification do not invoke Rules 821-825, and thus do not require that they be disclosed in a Sequence Listing. As such, applicants respectfully request that the aspect of the Notice to File Missing Parts related to the Sequence Listing be withdrawn. Applicants further submit that by providing the original executed Declaration, they have addressed all outstanding issues presented in the Notice to File Missing Parts.

Deposit Account

The Commissioner is hereby authorized to charge the amount of \$65.00 (representing the Missing Parts surcharge fee for a small entity) in connection with

Application Serial No.: 10/783,564

the filing of this correspondence, and is hereby authorized to charge any other fee associated with the filing of this correspondence, to Deposit Account No. 50-0426.

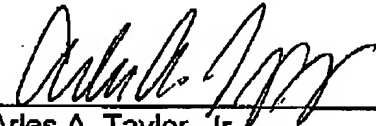
Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date:

07/14/2004

By:



Arles A. Taylor, Jr.
Registration No. 39,395

180/159/2 AAT/CPP/ptw

Enclosures

Customer No: 25297